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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

MICHAEL LAVIGNE, *et al.*,
Plaintiffs,
vs.
HERBALIFE LTD., *et al.*,
Defendants

CASE NO. 2:18-cv-07480-JAK (MRWx)

[Related Case 2:13-cv-02488-BRO-RZ]

**JOINT STIPULATION FOR
RESCHEDULING OF HEARING ON
PLAINTIFFS' MOTION FOR
REVIEW OF NON-DISPOSITIVE
RULINGS, HERBALIFE'S MOTION
FOR SUMMARY JUDGMENT, AND
THE PARTIES' DAUBERT
MOTIONS**

[Filed concurrently with [Proposed] Order]

Assigned to Hon. John A. Kronstadt,
Courtroom 10B

1 Pursuant to Local Rule 7.1, Defendant Herbalife International of America, Inc.
2 (“Herbalife”), and Plaintiffs Patricia Rodgers, Jennifer Ribalta, and Izaar Valdez
3 (“Plaintiffs”), by and through their respective counsel of record, hereby stipulate as
4 follows:

5 WHEREAS, the parties have several motions scheduled to be heard on
6 September 13, 2021, namely Plaintiffs’ Motion for Review of Non-Dispositive
7 Rulings (Dkt. No. 309), Herbalife’s Motion for Summary Judgment (Dkt. No. 322),
8 and the parties’ *Daubert* motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329, 330)
9 (the “Outstanding Motions”);

10 WHEREAS, Plaintiffs’ lead counsel, Etan Mark, is currently in trial in the
11 Eleventh Judicial Circuit in and for Miami-Dade County, Florida, in *Clark*
12 *Construction Group, LLC v. The City of Miami Beach, Florida* (Case No. 2020-
13 002129-CA-01), is scheduled to be in trial on September 13, 2021, and is expected to
14 be in trial through and including October 22, 2021.

15 WHEREAS, upon meeting and conferring, Herbalife has agreed to
16 accommodate Mr. Mark’s trial schedule and the parties respectfully request that the
17 hearings on the Outstanding Motions be reset to November 1, 2021, or the Court’s
18 next available hearing date;

19 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

- 20 (1) The parties jointly request that the Court continue the hearings on
21 Plaintiffs’ Motion for Review of Non-Dispositive Rulings (Dkt. No.
22 309), Herbalife’s Motion for Summary Judgment (Dkt. No. 322), and the
23 parties’ *Daubert* motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329,
24 330) to November 1, 2021, or the Court’s next available hearing date;
- 25 (2) Alternatively, the parties jointly request that the Court set a status
26 conference, at its convenience, to discuss rescheduling the hearing
27 date(s) on the Outstanding Motions and other case scheduling matters.

28 ***Local Rule 5-4.3.4(a)(2)(i) Compliance:*** Filer attests that all other signatories

1 | listed concur in the filing's content and have authorized this filing.

2 | DATED: September 8, 2021

Mark Migdal & Hayden

By: /s/ Etan Mark

Etan Mark

Attorneys for Plaintiffs Patricia Rodgers,
Jennifer Ribalta, and Izaar Valdez

DATED: September 8, 2021

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By: /s/ Paul Chan

Paul S. Chan

Attorneys for Defendant Herbalife
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